

## Part 2 Social Worker Licensing Act

### 58-60-201 Title.

This part is known as the "Social Worker Licensing Act."

Enacted by Chapter 32, 1994 General Session

### 58-60-202 Definitions.

In addition to the definitions in Sections 58-1-102 and 58-60-102, as used in this part:

- (1) "Board" means the Social Worker Licensing Board created in Section 58-60-203.
- (2)
  - (a) "Practice as a social service worker" means performance of general entry level services under general supervision of a mental health therapist through the application of social work theory, methods, and ethics in order to enhance the social or psychosocial functioning of an individual, a couple, a family, a group, or a community, including:
    - (i) conducting:
      - (A) a non-clinical psychosocial assessment; or
      - (B) a home study;
    - (ii) collaborative planning and goal setting;
    - (iii) ongoing case management;
    - (iv) progress monitoring;
    - (v) supportive counseling;
    - (vi) information gathering;
    - (vii) making referrals; and
    - (viii) engaging in advocacy.
  - (b) "Practice as a social service worker" does not include:
    - (i) diagnosing or treating mental illness; or
    - (ii) providing psychotherapeutic services to an individual, couple, family, group, or community.
- (3) "Practice of clinical social work" includes:
  - (a) the practice of mental health therapy by observation, description, evaluation, interpretation, intervention, and treatment to effect modification of behavior by the application of generally recognized professional social work principles, methods, and procedures for the purpose of preventing, treating, or eliminating mental or emotional illness or dysfunction, the symptoms of any of these, or maladaptive behavior;
  - (b) the application of generally recognized psychotherapeutic and social work principles and practices requiring the education, training, and clinical experience of a clinical social worker; and
  - (c) supervision of the practice of a certified social worker or social service worker as the supervision is required under this chapter and as further defined by division rule.
- (4) "Practice of certified social work" includes:
  - (a) the supervised practice of mental health therapy by a clinical social worker by observation, description, evaluation, interpretation, intervention, and treatment to effect modification of behavior by the application of generally recognized professional social work principles, methods, and procedures for the purpose of preventing, treating, or eliminating mental or emotional illness or dysfunctions, the symptoms of any of these, or maladaptive behavior;

- (b) the supervised or independent and unsupervised application of generally recognized professional social work principles and practices requiring the education, training, and experience of a certified social worker; and
  - (c) supervision of the practice of a social service worker as the supervision is required under this chapter and as further defined by division rule.
- (5) "Program accredited by the Council on Social Work Education" means a program that:
- (a) was accredited by the Council on Social Work Education on the day on which the applicant for licensure satisfactorily completed the program; or
  - (b) was in candidacy for accreditation by the Council on Social Work Education on the day on which the applicant for licensure satisfactorily completed the program.
- (6) "Supervision of a social service worker" means supervision conducted by an individual licensed as a mental health therapist under this title in accordance with division rules made in collaboration with the board.

Amended by Chapter 78, 2010 General Session  
Amended by Chapter 214, 2010 General Session

**58-60-203 Board.**

- (1) There is created the Social Worker Licensing Board consisting of one certified social worker, three clinical social workers, two social service workers, and one member from the general public.
- (2) The board shall be appointed, serve terms, and be compensated in accordance with Section 58-1-201.
- (3) The duties and responsibilities of the board are under Sections 58-1-202 and 58-1-203. In addition, the board shall:
  - (a) designate one of its members on a permanent or rotating basis to assist the division in review of complaints concerning unlawful or unprofessional practice by a licensee in any profession regulated by the board and to advise the division regarding the conduct of investigations of the complaints; and
  - (b) disqualify any member from acting as presiding officer in any administrative procedure in which that member has previously reviewed the complaint or advised the division.

Amended by Chapter 214, 2010 General Session

**58-60-204 License classifications.**

The division shall issue licenses and certifications to individuals qualified under this part in the classifications:

- (1) clinical social worker;
- (2) certified social worker;
- (3) certified social worker intern; and
- (4) social service worker.

Amended by Chapter 201, 2003 General Session

**58-60-205 Qualifications for licensure or certification as a clinical social worker, certified social worker, and social service worker.**

- (1) An applicant for licensure as a clinical social worker shall:
  - (a) submit an application on a form provided by the division;

- (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) produce certified transcripts from an accredited institution of higher education recognized by the division in collaboration with the board verifying satisfactory completion of an education and an earned degree as follows:
    - (i) a master's degree in a social work program accredited by the Council on Social Work Education or by the Canadian Association of Schools of Social Work; or
    - (ii) a doctoral degree that contains a clinical social work concentration and practicum approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that is consistent with Section 58-1-203;
  - (d) have completed a minimum of 4,000 hours of clinical social work training as defined by division rule under Section 58-1-203:
    - (i) in not less than two years;
    - (ii) under the supervision of a supervisor approved by the division in collaboration with the board who is a:
      - (A) clinical mental health counselor;
      - (B) psychiatrist;
      - (C) psychologist;
      - (D) registered psychiatric mental health nurse practitioner;
      - (E) marriage and family therapist; or
      - (F) clinical social worker; and
    - (iii) including a minimum of two hours of training in suicide prevention via a course that the division designates as approved;
  - (e) document successful completion of not less than 1,000 hours of supervised training in mental health therapy obtained after completion of the education requirement in Subsection (1)(c), which training may be included as part of the 4,000 hours of training in Subsection (1)(d), and of which documented evidence demonstrates not less than 100 of the hours were obtained under the direct supervision, as defined by rule, of a supervisor described in Subsection (1)(d)(ii);
  - (f) have completed a case work, group work, or family treatment course sequence with a clinical practicum in content as defined by rule under Section 58-1-203; and
  - (g) pass the examination requirement established by rule under Section 58-1-203.
- (2) An applicant for licensure as a certified social worker shall:
- (a) submit an application on a form provided by the division;
  - (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) produce certified transcripts from an accredited institution of higher education recognized by the division in collaboration with the board verifying satisfactory completion of an education and an earned degree as follows:
    - (i) a master's degree in a social work program accredited by the Council on Social Work Education or by the Canadian Association of Schools of Social Work; or
    - (ii) a doctoral degree that contains a clinical social work concentration and practicum approved by the division, by rule, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that is consistent with Section 58-1-203; and
  - (d) pass the examination requirement established by rule under Section 58-1-203.
- (3)
- (a) An applicant for certification as a certified social worker intern shall meet the requirements of Subsections (2)(a), (b), and (c).
  - (b) Certification under Subsection (3)(a) is limited to the time necessary to pass the examination required under Subsection (2)(d) or six months, whichever occurs first.

- (c) A certified social worker intern may provide mental health therapy under the general supervision, as defined by rule, of a supervisor described in Subsection (1)(d)(ii).
- (4) An applicant for licensure as a social service worker shall:
  - (a) submit an application on a form provided by the division;
  - (b) pay a fee determined by the department under Section 63J-1-504;
  - (c) produce certified transcripts from an accredited institution of higher education recognized by the division in collaboration with the board verifying satisfactory completion of an education and an earned degree as follows:
    - (i) a bachelor's degree in a social work program accredited by the Council on Social Work Education or by the Canadian Association of Schools of Social Work;
    - (ii) a master's degree in a field approved by the division in collaboration with the board;
    - (iii) a bachelor's degree in any field if the applicant:
      - (A) has completed at least three semester hours, or the equivalent, in each of the following areas:
        - (I) social welfare policy;
        - (II) human growth and development; and
        - (III) social work practice methods, as defined by rule; and
      - (B) provides documentation that the applicant has completed at least 2,000 hours of qualifying experience under the supervision of a mental health therapist, which experience is approved by the division in collaboration with the board, and which is performed after completion of the requirements to obtain the bachelor's degree required under this Subsection (4); or
    - (iv) successful completion of the first academic year of a Council on Social Work Education approved master's of social work curriculum and practicum; and
  - (d) pass the examination requirement established by rule under Section 58-1-203.
- (5) The division shall ensure that the rules for an examination described under Subsections (1)(g), (2)(d), and (4)(d) allow additional time to complete the examination if requested by an applicant who is:
  - (a) a foreign born legal resident of the United States for whom English is a second language; or
  - (b) an enrolled member of a federally recognized Native American tribe.

Amended by Chapter 339, 2020 General Session

#### **58-60-205.5 Continuing education.**

As a condition for renewal of a license under this part, a social service worker licensee shall, during each two-year licensure cycle, complete qualified continuing professional education, as defined by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Enacted by Chapter 214, 2010 General Session

#### **58-60-206 Qualifications for admission to examination.**

All applicants for admission to an examination qualifying an individual for licensure under this part shall, before taking the examination:

- (1) submit an application for examination on a form provided by the division;
- (2) pay the fee established for the examination; and
- (3) certify under penalty of perjury as evidenced by notarized signature on the application for examination that the applicant:

- (a) has completed the education requirement and been awarded the earned degree required for licensure; or
- (b) has only one semester, or the equivalent, remaining before the applicant completes the education requirement for earning the degree that is required for licensure.

Amended by Chapter 262, 2013 General Session

**58-60-207 Scope of practice -- Limitations.**

- (1)
  - (a) A clinical social worker may engage in all acts and practices defined as the practice of clinical social work without supervision, in private and independent practice, or as an employee of another person, limited only by the licensee's education, training, and competence.
  - (b) A clinical social worker may not supervise more than six individuals who are lawfully engaged in training for the practice of mental health therapy, unless granted an exception in writing from the division in collaboration with the board.
- (2) To the extent an individual is professionally prepared by the education and training track completed while earning a master's or doctor of social work degree, a licensed certified social worker may engage in all acts and practices defined as the practice of certified social work consistent with the licensee's education, clinical training, experience, and competence:
  - (a) under supervision of an individual described in Subsection 58-60-205(1)(d)(ii) and as an employee of another person when engaged in the practice of mental health therapy;
  - (b) without supervision and in private and independent practice or as an employee of another person, if not engaged in the practice of mental health therapy;
  - (c) including engaging in the private, independent, unsupervised practice of social work as a self-employed individual, in partnership with other mental health therapists, as a professional corporation, or in any other capacity or business entity, so long as he does not practice unsupervised psychotherapy; and
  - (d) supervising social service workers as provided by division rule.

Amended by Chapter 339, 2020 General Session